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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,075	03/27/2001	Wayne Huang	998029 PAZ	9779

7590

06/30/2004

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EXAMINER
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NGUYEN, TRONG NHAN P

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/818,075

Applicant(s)

HUANG ET AL.

Examiner

Jack P Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 3/27/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1-8 are pending examination.

### *Specification*

2. The abstract of the disclosure is objected to because of a typo in the word "browse" (Abstract, L8). Correction is required. See MPEP § 608.01(b).

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin et al, 6,457,060 (hereafter Martin).

5. As per claims 1 and 5, Martin teaches a method of using a mobile phone to customize user interface through a global computer information network, comprising:

- a) providing a default user interface screen on the mobile phone in a local memory (Fig. 2, element 218, C6, L38-42);
- b) upon power-up by a first user, displaying the first user interface screen for a first user of the mobile phone (Fig. 2, element 218, C6, L35-39);
- c) making a data call to a first web server through a global computer information network (Fig. 2, element 218, C5, L57-61);
- d) browsing a first desired web page at the first web server (Fig. 2, element 218, C6, L12-17);
- e) duplicating the first desired web page to the local memory as the default user interface for the first user, such that when the mobile phone is powered up by the first user, the mobile phone displays the desired web page (Figs. 1F & 1G, C2, L20-29).

6. Martin further teaches a transmitter for transmitting a transmit digital audio signal (Fig. 3B, element 353, C7, L26-28); a receiver for receiving a receive digital audio signal (Fig. 3B, element 353, C7, L26-28); an audio processor coupled to the transmitter and to the receiver (Fig. 3B, element 356, C7, L32-47); a processor coupled

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to the transmitter, the receiver and the audio processor (Fig. 3B, element 352, C7, L27-29); a first memory to store a software program for controlling the processor (Fig. 3B, element 364, C7, L52-57).

7. As per claims 2 and 6, Martin teaches the method according to claims 1 and 5, further comprising:

f) making another data call to a second web server through the global computer information network (Fig. 4, C8, L28-33);

g) browsing a second desired web page at the second web server (Fig. 2, C6, L12-17);

h) duplication the second desired web page to the local memory as the default user interface for the second user, such that when the mobile phone is powered up by the second user, the mobile phone displays the second desired web page (Figs. 1F & 1G, C2, L20-29).

8. As per claims 3 and 7, Martin teaches the method according to claims 1 and 5, wherein the first desired web page at the first web server is initially set up by the first user through a network client (Fig. 2, C6, L39-42).

9. As per claims 4 and 8, Martin teaches the method according to claims 2 and 6, wherein the second web page at the second web server is initially set up by the second user through a network client (Fig. 2, C6, L38-42).

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Method and Architecture for Interactive Two-Way Communications Devices to Interact with a Network – Schwartz et al, 6,473,609
- Mobile Telephone for Internet Applications – Theimer, 6,519,241 – a mobile telephone for Internet applications comprising at least one Web server which can be coupled to at least one further server and to at least one client
- Portable High Speed Internet Device Integrating Cellular Telephone and Palm Top Computer – Tuli, 6,633,314 – a portable device that is similar to a combination of a palm top computer and a cellular telephone, and which allows the user to access the Internet and WWW.
- Methods and Systems for Managing Information on Wireless Data Devices – Kanefsky, 6,603,984 – techniques for accessing various sources of information are provided by a wireless server and wireless device, such as an Internet-ready cellular phone.


11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P Nguyen whose telephone number is (703) 605-4299. The examiner can normally be reached on M-F 8:30-5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jpn

  
ZARNI MAUNG  
PRIMARY EXAMINER